

**CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: August 25, 2008

Name: Eric J. Baude

Signature: /EJB/ Reg No. 47,413

**BRINKS  
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& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MICHAEL J. BORRELI

Serial No. 10/764,316

Filing Date: January 23, 2004

For: METHODS AND COMPOSITIONS FOR HEAT  
ACTIVATED GENE THERAPY USING  
CYTOLETHAL DISTENDING TOXIN

Examiner:

Chong, Kimberly

Group Art Unit No.

1635

Confirmation No.

8323

Docket No. 10546-109

**TRANSMITTAL**

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Attached is/are:**

- ☒ Transmittal; Renewed Petition Under 37 CFR 1.137(b) (2 pgs); Attachment - Renewed Petition Under 37 CFR 1.137(b) (2 pgs); Request for Continued Examination (RCE) (37 CFR 1.114); Amendment After Final (5 pgs) .

**Fee calculation:**

- ☐ No additional fee is required.
- ☒ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 CFR § 1.136(a).
- ☒ A petition or processing fee in an amount of \$770 under 37 CFR § 1.17(m), and \$405 under 37 CFR § 1.17(e)

**Fee payment:**

- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$1,175.00 for petition fees.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

August 25, 2008  
Date

/EJB/  
Eric J. Baude (Reg. No. 47,413)